

**DURHAM CITY COUNCIL WORKSESSION  
THURSDAY, SEPTEMBER 18, 2008 – 1:00 p.m.  
Committee Room – 2<sup>nd</sup> Floor – City Hall**

**Present: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Absent: None.**

**SUBJECT: CITY OF DURHAM AND NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION (NCDOT) LEASE AGREEMENT FOR PARKING  
FOR THE NEW AMTRAK STATION**

**MOTION** by Council Member Catotti seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:21 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**MOTION** by Council Member Catotti seconded by Council Member Woodard to authorize the City Manager to execute a lease agreement pursuant to G. S. 160A-274 with North Carolina Department of Transportation for parking associated with the new Amtrak Station (Lot 30); and

To authorize the City Manager to modify the lease agreement before execution, provided the modifications do not increase the financial obligations of the City and is consistent with the general intent of the version of the contract approved by City Council was approved at 1:21 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: PROPOSED SALE OF PROPERTY AT 521-B EASTWAY AVENUE  
PIN#0831-10-45-4470**

**MOTION** by Council Member Woodard seconded by Council Member Clement to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**MOTION** by Council Member Woodard seconded by Council Member Brown to determine the property at 521-B Eastway Avenue to be surplus;

To authorize the sale of the property under the authority of Section 86 of the City Charter;

To accept the offer to purchase for the property located at 521-B Eastway Avenue; and

To authorize the City Manager and the Mayor to sell and convey the property by a non-warranty deed and authorize the City Manager to terminate these contracts for sale if the contract terms are

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not fulfilled was approved at 1:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Absent: None.

**SUBJECT: NORTH CAROLINA ACORN**

To receive comments from Melvin Whitely regarding SAVE A WATT!

Hope Taylor and Jim Warren spoke on this item.

Melvin Whitely reminded council in June of this year the council asked the North Carolina Utilities Commission to approve a cost-effective energy efficiency program that would save significant energy and reduce greenhouse gas emissions, which is fairly funded by all electricity and gas customers in proportion to their energy use.

Mr. Whitley asked the council to authorize the City Manager and City Attorney to intervene on behalf of the City of Durham in utility commission dockets to advocate for the creation of an energy efficiency program for North Carolina with an independent administrator; and that energy efficiency programs benefitting low and moderate income citizens should be included in any energy efficiency programs established, authorized or ordered by the N. C. Utilities Commission.

Attorney Sherri Rosenthal provided council with a Resolution of the City Council of the City of Durham regarding An Independent Energy Efficiency Administrator.

**MOTION** by Council Member Catotti seconded by Council Member Woodard to suspend the rules of the City Council and take action on the resolution as presented was approved at 3:34 p.m. by the following vote: Ayes: Mayor Bell and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Pro Tempore Cole-McFadden.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to receive comments from Melvin Whitely regarding SAVE A WATT; and

To adopt a Resolution of the City Council of the City of Durham On An Independent Energy Efficiency Administrator; and

To authorize the City Manager and City Attorney to intervene on behalf of the City of Durham in utility commission dockets to advocate for the creation of an energy efficiency program for North Carolina with an independent administrator; and that energy efficiency programs benefitting low and moderate income citizens should be included in any energy efficiency

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programs established, authorized or ordered by the N. C. Utilities Commission was approved at 3:38 p.m. by the following vote: Ayes: Mayor Bell and Council Members Ali, Brown, Catotti, Clement and Woodard. Noes: None. Excused Absence: Mayor Pro Tempore Cole-McFadden.

**Resolution #9603**

D. Ann Gray, MMC  
City Clerk